D.B. CIVIL SPECIAL APPEAL NO.23/2007
(Balbir Vs. Sunil Kumar & Others)

DATE OF ORDER :: 21st March, 2007

PRESENT

Hon'ble Mr. Justice R.M. Lodha
Hon'ble Mr. Justice R.S. Chauhan

Mr. Atish Jain for Mr. L.L. Gupta for the appellant

In view of the decision given by the Bench presided over by one of us (R.M. Lodha, J.) on 8th March, 2007 in group of special appeals being D.B. Civil Special Appeal No. 10/2006 (R.S.R.T.C. Vs. Vaibhav Kumar & Ors.) and other connected matters holding that the special appeal from the judgment and order passed by the Single Judge of this Court in an appeal U/s. 173 of the Motor Vehicles Act against the award of the Motor Accident Claims Tribunal is not maintainable with effect from the cut off date i.e. 1st July, 2002

in view of Section 100 A of the Code of Civil Procedure, the counsel for the appellant prays for withdrawal of the special appeal.

2. We accede to the prayer of the counsel for the appellant and the special appeal is allowed to be withdrawn.

R.S. Chauhan, J. R.M.Lodha, J.

DK/-